

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#:  
DATE FILED: 3/31/2020

UNITED STATES OF AMERICA,

v.

TOMAS GUILLEN,

Defendant.

No. 18-cr-640 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On February 21, 2020, the Court sentenced Tomas Guillen to 18 months in prison. *See* Dkt. 257. He presently remains out of custody on pretrial release, consistent with Judge Aaron's judicial determination that he was neither a danger to the community nor a flight risk. *See* 18 U.S.C. § 3142. Mr. Guillen's self-surrender date is scheduled for April 21, 2020. *See* Dkt. 257.

In light of the ongoing public health crisis, there is substantial concern about increasing the prison population at this time if it can be avoided. Several recent court rulings – from both in and out of this district – have noted the significant health risks that inmates and prison employees currently face during the COVID-19 pandemic. *See, e.g., United States v. Little*, No. 20-cr-57 (GBD), 2020 WL 1439979, at \*2-3 (S.D.N.Y. Mar. 24, 2020); *United States v. Stephens*, No. 15-cr-95 (AJN), 2020 WL 1295155, at \*2 (S.D.N.Y. Mar. 19, 2020); *United States v. Perez*, No. 19-cr-297 (PAE) (S.D.N.Y. Mar. 19, 2020); *In the Matter of Extradition of Toledo Manrique*, No. 19-mj-71055, 2020 WL 1307109 (N.D. Cal. Mar. 19, 2020); *see also Basank v. Decker*, No. 20-cv-2518 (AT), 2020 WL 1481503 (S.D.N.Y. Mar. 26, 2020) (discussing COVID-19 in the context of an

ICE detention facility). Nor does this concern appear to be subsiding, as the number of inmates and prison employees testing positive for the virus continues to increase. Thus, to avoid imposing unnecessary difficulties and health risks on what is already a complex and alarming environment, courts have begun to delay the surrender dates of offenders who are on release and scheduled to surrender to the Bureau of Prisons in the coming months. *See, e.g., United States v. Garlock*, No. 18-cr-418 (VC), 2020 WL 1439980 (N.D. Cal. Mar. 25, 2020).

Accordingly, the Court sua sponte extends Mr. Guillen's surrender date from April 21, 2020 to July 21, 2020. Mr. Guillen is ordered to self-surrender directly to the designated BOP facility on that date before 2:00 p.m. Mr. Guillen's previously imposed conditions of release shall remain in place until that time.

SO ORDERED.

Dated: March 31, 2020  
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written above a horizontal line.

Ronnie Abrams  
United States District Judge